
IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF UTAH

TRIGINAL D. JACKSON,
Plaintiff,

v.

STATE OF UTAH,
Defendant.

**ORDER ADOPTING MAGISTRATE
JUDGE’S REPORT AND
RECOMMENDATION**

Case No. 2:18-cv-802

Chief Judge Robert J. Shelby

Magistrate Judge Evelyn J. Furse

The undersigned referred this case to Magistrate Judge Evelyn J. Furse pursuant to 28 U.S.C. § 636(b)(1)(B).¹ On June 7, 2019, Judge Furse issued a Report and Recommendation.² Judge Furse recommends that the court deny Plaintiff’s Motion for Writ of Mandamus³ because the court lacks the authority to grant the relief requested.⁴ In the alternative, Judge Furse recommends that the court deny Plaintiff’s request for injunctive relief “because the *Younger* abstention doctrine bars this court from adjudicating [Plaintiff’s] request.”⁵ Neither party objects to Judge Furse’s Report and Recommendation, so the court reviews the Report and Recommendation for clear error.⁶

¹ Dkt. 5.

² Dkt. 10.

³ See Dkt. 3.

⁴ See Dkt. 10 at 3–4, 7.

⁵ *Id.* at 5–7.

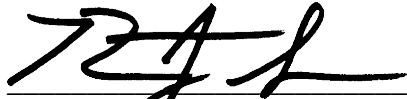
⁶ See Fed. R. Civ. P. 72(b) advisory committee’s note (1983) (“When no timely objection is filed, the court need only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.”) (citing *Campbell v. U.S. Dist. Court for N. Dist. of Cal.*, 501 F.2d 196, 206 (9th Cir. 1974), *cert. denied*, 419 U.S. 879); see

Having carefully considered Judge Furse's Report and Recommendation, the court finds no clear error. The court therefore ADOPTS Judge Furse's Report and Recommendation.⁷

Plaintiff's suit is hereby dismissed. The Clerk of Court is directed to close the case.

SO ORDERED this 1st day of July, 2019.

BY THE COURT:

A handwritten signature in black ink, appearing to read 'R. J. Shelby', written over a horizontal line.

ROBERT J. SHELBY
United States Chief District Judge

also Summers v. State of Utah, 927 F.2d 1165, 1167 (10th Cir. 1991) ("In the absence of timely objection, the district court may review a magistrate's report under any standard it deems appropriate.").

⁷ Dkt. 10.